

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: H2/7/01 H2/13/01 S3/13/01*

## A Bill

Act 1120 of 2001  
HOUSE BILL 1494

5 By: Representative Glover  
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### For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 27-50-408 TO DOUBLE  
10 FINES FOR *ALL MOVING TRAFFIC* VIOLATIONS COMMITTED  
11 IN HIGHWAY WORK ZONES; AND FOR OTHER PURPOSES.  
12

### Subtitle

13 AN ACT TO AMEND ARKANSAS CODE 27-50-408  
14 TO DOUBLE FINES FOR *ALL MOVING TRAFFIC*  
15 VIOLATIONS COMMITTED IN HIGHWAY WORK  
16 ZONES.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code 27-50-408, concerning fines for speeding in a  
23 highway work zone, is amended to read as follows:

24 27-50-408. Fines for ~~speeding~~ moving traffic violations in a highway  
25 work zone.

26 (a) As used in this section, unless the context otherwise requires:

27 (1) "Highway work zone" means any area upon or adjacent to any  
28 highway, road, or street of this state where construction, reconstruction,  
29 maintenance, or any other type of work is being performed or is in progress  
30 by employees of the Arkansas State Highway and Transportation Department, the  
31 counties or the municipalities of this state, or any contractors of the State  
32 Highway Commission or the counties or municipalities;

33 (2) "Conviction" means a person who is charged with a violation  
34 of law and who pleads guilty or nolo contendere, is found guilty, or forfeits  
35 a bond in lieu of a plea or trial;

36 (3) "Department" means the Arkansas State Highway and

1 Transportation Department; and

2 (4) "Construction personnel" means employees of the Arkansas  
3 State Highway and Transportation Department or the counties or the  
4 municipalities of this state, or any contractors of the State Highway  
5 Commission or the counties or municipalities.

6 (b)(1)(A) In addition to all fines and penalties otherwise provided by  
7 law, after the conviction of any person for ~~speeding in excess of the posted~~  
8 ~~speed limit through~~ any moving traffic violation committed while the person  
9 is driving through a highway work zone in this state and if construction  
10 personnel were present in the highway work zone when the offense occurred,  
11 the trial judge shall assess an additional fine or penalty equivalent to all  
12 other fines and penalties imposed by law upon that person for ~~speeding in~~  
13 ~~excess of the posted speed limit~~ committing a moving traffic violation in the  
14 highway work zone.

15 (B) Any bond posted pursuant to a charge of ~~speeding in~~  
16 ~~excess of the posted speed limit through any~~ committing any moving traffic  
17 violation while in a highway work zone in this state shall be double the  
18 amount of the bond otherwise required ~~for speeding in excess of the posted~~  
19 ~~speed limit~~.

20 (2)(A) All fines, penalties, and other amounts collected by any  
21 court in this state as a result of this section shall be paid over by the  
22 court clerk or the collecting official to the county treasurer or municipal  
23 treasurer.

24 (B) All such amounts collected in county cases shall be  
25 remitted to the county treasurer and all such amounts collected in municipal  
26 cases shall be remitted to the municipal treasurer.

27 (C) Amounts received by the county treasurer may be used  
28 for general county purposes and amounts received by the municipal treasurer  
29 may be used for general municipal purposes.

30 (c)(1) The additional fines and penalties shall not be assessed unless  
31 signs, either permanent or temporary, were present at the time of the  
32 violation in advance of the highway work zone warning the traveling public  
33 that fines are double in highway work zones.

34 (2) The signs shall be located no greater than one (1) mile nor  
35 less than one thousand five hundred feet (1,500') in advance of the highway  
36 work zone.

1           (3) Further, the additional fines or penalties for speeding  
2 shall not be assessed unless signs, either permanent or temporary, are posted  
3 in advance of the highway work zone indicating the maximum speed limit to be  
4 obeyed while traveling through the highway work zone.

5           (4)(A) All signs authorized by this section shall conform with  
6 the Manual on Uniform Traffic Control Devices.

7           (B) The counties and municipalities, prior to utilizing  
8 any such signs, shall seek the advice of the Arkansas State Highway and  
9 Transportation Department in order that such signs shall be uniform  
10 throughout the state.

11           (C) The department is authorized to develop guidelines for  
12 the counties and municipalities to achieve such uniformity.

13           (d) Nothing contained in this section shall be construed to abrogate  
14 any of the provisions of § 12-8-106 regarding the powers of the Department of  
15 Arkansas State Police.

16           (e) For purposes of this act, "moving traffic violation" shall  
17 include, but not be limited to:

18                   (1) Careless or prohibited driving;

19                   (2) Driving while intoxicated;

20                   (3) Underage driving under the influence;

21                   (4) Refusal to submit;

22                   (5) Leaving the scene of an accident;

23                   (6) Driving with lights off;

24                   (7) Driving on an expired, suspended or revoked license;

25                   (8) Improper use of lighting equipment;

26                   (9) Failure to obey traffic control devices and signs;

27                   (10) Failure to operate vehicle in accordance with "Rules of the  
28 Road";

29                   (11) Failure to stop and render aid;

30                   (12) Following too closely;

31                   (13) Driving the wrong way on a one way;

32                   (14) Hazardous driving;

33                   (15) Impeding the flow of traffic;

34                   (16) Improper backing;

35                   (17) Improper lane change;

36                   (18) Improper entrance or exit to avoid intersection;

- 1                   (19) Improper towing;
- 2                   (20) Improper turning;
- 3                   (21) Passing stopped school bus;
- 4                   (22) Racing on the highway;
- 5                   (23) Reckless driving;
- 6                   (24) Exceeding the speed limit;
- 7   /s/ Glover

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APPROVED: 3/27/2001